

Declaration of Jay  
Bhatia ISO Plaintiffs'  
Response to the Order  
to Show Cause

Redacted Version of  
Document Sought to be  
Sealed

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

CHASOM BROWN, WILLIAM BYATT,  
JEREMY DAVIS, CHRISTOPHER  
CASTILLO, and MONIQUE TRUJILLO  
individually and on behalf of all similarly  
situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

Case No.: 4:20-cv-03664-YGR-SVK

**DECLARATION OF JAY BHATIA IN  
SUPPORT OF PLAINTIFFS' RESPONSE  
TO GOOGLE'S RESPONSE TO THE  
ORDER TO SHOW CAUSE**

Referral: The Honorable Susan van Keulen  
The Honorable Susan van Keulen  
Courtroom 6 - 4th Floor  
Date: March 2, 202  
Time: 10:00 a.m.

**DECLARATION OF JAY BHATIA**

I, Jay Bhatia, declare as follows.

1. I have been retained by Counsel for the *Brown* Plaintiffs (“Counsel”) to provide technical analysis that includes source code review.

2. All of the statements made in this declaration are true based on my analysis and personal knowledge, and I am available and if the Court permits and willing to testify on these matters.

3. A copy of my CV is attached hereto as **Exhibit 10**. As reflected in my CV, I have a Master’s degree in Electrical Engineering and a Bachelor’s degree in Electrical Engineering. I have over 30 years of technical experience in software and hardware development and project management in areas that include fault tolerant computers, business software, enterprise resource management, online and eCommerce related software, and web development.

4. I am being compensated at a rate of \$275 per hour for my work in connection with this matter, and none of my compensation is contingent on the outcome of this case.

5. Over the last 15 years, I have worked exclusively as a technical consultant on patent and intellectual property related cases. During this time, I have conducted over 75 software code reviews. The reviews included source code from companies such as Google, Facebook, Apple, Microsoft, Oracle, AT&T, Nokia, Ericsson, IBM, Fitbit, Priceline, Nintendo, and Samsung. Over these years, I have been retained by law firms such as Susman Godfrey, Quinn Emanuel, Greenberg Tourig, Baker Botts, and Robins Kaplan. In this capacity, I have also been deposed or testified as an expert for both plaintiffs and defendants in cases throughout the United States. A detailed list of prior cases and clients is enclosed as **Exhibit 11**.

6. Pursuant to the Protective Order in this case, discovery provided by Google has been made available to me, including access to all documents produced, all deposition transcripts, and all productions in connection with the Special Master process.

7. I understand from Counsel that the Court entered an Order to Show Cause as to why Google should not be further sanctioned. I was provided with Google’s Response to that Order

1 to Show Cause (“Google’s Response”), filed on November 30, 2022, including the supporting  
2 declarations and exhibits. I reviewed these materials.

3 8. Google’s Response in part discusses a Google log named [REDACTED]  
4 [REDACTED]. According to Google’s Response, this log “contains records from  
5 [REDACTED] logs containing only unauthenticated data” as well as “separate records from [REDACTED] other logs  
6 containing only authenticated data.” Google’s Response at 10. Based on the discovery in this case,  
7 I understand (a) the reference to “authenticated data” in Google’s Response to refer to data that is  
8 explicitly tied to a user’s GAIA identifier (i.e., the Google Account) and (b) the reference to  
9 “unauthenticated data” in Google’s Response to refer to data is that not explicitly tied to a user’s  
10 GAIA identifier but rather other identifiers (such as a Zwieback ID).

11 9. With its Response, Google also submitted two declarations that discuss the  
12 [REDACTED]: one from Dr. Konstantinos Psounis, retained by  
13 Google as an expert for this litigation, and another from Vasily Panferov, a senior software  
14 engineer at Google.

15 10. Google’s Response and the Psounis and Panferov declarations contain  
16 contradictory assertions about this log. First, Google represents that “this log contains some  
17 records from personal logs and other records from unauthenticated logs.” Google’s Response at  
18 10. Then, Google says “the coding of the log prohibits it from ever joining authenticated data with  
19 unauthenticated data—or, indeed, joining any records at all.” Google’s Response at 10. Based on  
20 my experience, these two assertions seem contradictory.

21 11. In its Response, Google claimed that it would “make the source code file  
22 substantiating this position, relevant portions of which are discussed in the Panferov and Psounis  
23 Declarations, available for Plaintiffs’ review.” Google’s Response at 10.

24 12. On December 22, 2022, Google made available for review small snippets of source  
25 code at the Washington, D.C. office of its counsel, Quinn Emanuel Urquhart & Sullivan, LLP:  
26 1300 I Street NW, Suite 900, Washington, D.C. 20005. I travelled to Washington, D.C. to review  
27  
28

1 this source code. I spent the day at the Quinn Emanuel office reviewing the code that was made  
2 available on that date.

3 13. The source code made available by Google included [REDACTED] program files, with  
4 the following names: [REDACTED]

5 [REDACTED]. Based on his declaration, I understand that Dr. Psounis considered  
6 and relied on certain code from the [REDACTED] file, and that Google claims to have made  
7 available the entirety of that file, along with what Google deems to be a corresponding file, the  
8 [REDACTED] file.

9 14. I also understand that code from the other [REDACTED] files that Google made available  
10 ([REDACTED] program) was considered by Google employee Erik  
11 Maki in the course of preparing his declaration for Google's Response.

12 15. Google's source code production was deficient, including with *four key aspects*:  
13 (1) the production did not contain definition source code for specific functions that are used to  
14 generate the [REDACTED] log; (2) while Google claims that the  
15 [REDACTED] log is comprised of data from [REDACTED] other logs,  
16 Google did not produce any source code that processes these other [REDACTED] logs; (3) the production  
17 omitted the source code for several #include# directives which the produced source code directly  
18 relies on; and (4) for [REDACTED] files of code that were produced ([REDACTED]  
19 [REDACTED]), Google produced the wrong excerpts from that code.

20 16. Below, I summarize in more detail each of these four deficiencies.

21 17. **First**, the production did not contain definition source code for specific functions  
22 that are used to generate the [REDACTED] log. In other words,  
23 Google did not make available the basic source code that shows how the log is generated to begin  
24 with.

25 18. **Second**, while Mr. Panferov discusses in his declaration how the  
26 [REDACTED] log is comprised of data from [REDACTED] other logs,  
27 Google did not produce any source code that processes these other [REDACTED] logs.  
28

1           19.     **Third**, the source code produced is incomplete because it omits the source code for  
2 several `#include#` directives, which the produced source code directly relies on.

3           20.     I would have expected Dr. Psounis to identify the same deficiencies that I have  
4 identified and to request the same missing source code. Yet, it appears that Dr. Psounis did not do  
5 that. Dr. Psounis claims that “Google provided me with all information I asked for to enable me to  
6 render the opinions in this declaration.” Psounis Decl. ¶ 3.

7           21.     There is also a **fourth** deficiency with Google’s source code production: for [REDACTED]  
8 files, I understand that Google has now admitted to simply producing the wrong code.

9           22.     I understand that Google committed to making available [REDACTED] lines of source code  
10 that Mr. Maki purportedly referenced in the course of preparing his declaration for Google’s  
11 Response to the OSC (Dkt. 798-17). These lines of code span [REDACTED] files: [REDACTED]  
12 [REDACTED].

13           23.     Mr. Maki’s declaration discusses test logs and logs related to third-party exchanges,  
14 and he claims that he is “not aware of any use of” these logs “to perform analysis specifically  
15 directed at Incognito browsing.” Maki Decl. ¶¶ 5, 10.

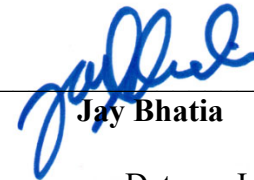
16           24.     Yet Google produced [REDACTED] lines from the [REDACTED] and [REDACTED]  
17 lines from the the [REDACTED] file. These lines which Google produced do not have any relevance  
18 to Google’s Response to the OSC.

19           25.     I understand that Google’s counsel subsequently confirmed to Plaintiffs’ Counsel  
20 that the Quinn Emanuel IT department loaded incorrect excerpts of code for these [REDACTED] files, which  
21 now explains why the lines I reviewed have no relevance to Google’s Response.

22           26.     Regardless, based on the source code that was made available, it does not appear  
23 that Google and Dr. Psounis had a reasonable basis to say, “the coding of the log prohibits it from  
24 ever joining authenticated data with unauthenticated data—or, indeed, joining any records at all.”  
25 Google’s Response at 10. Google admits earlier in the same sentence: “this log contains some  
26 records from personal logs and other records from unauthenticated logs.”  
27  
28

1           27. If I am being asked to reconcile Google's (and Dr. Psounis's) contradictory  
2 position, they seem to be saying that the data is not "joined" by a common key (e.g., GAIA),  
3 although the records are merged sequentially by time. If that is true, the debate is one of semantics.  
4

5           I declare under penalty of perjury under the laws of the United States of America that the  
6 foregoing is true and correct. Executed this 20th day of January, 2023, at Boxborough, MA.  
7

8  
9   
10

Jay Bhatia

Date: Jan. 20, 2023

## EXHIBIT 10



## Jay Bhatia

311 Depot Road, Boxborough, MA 01719  
Office: 978 274 5932 Cell: 781 929 4971

### Summary

- Extensive experience (15+ years and over 100+ major cases) as *Consulting Technology Expert* for IP litigations in area of telecomm, software, network, hardware systems and television technologies
- Highly skilled leader with over 25+ years of strong business management, technology project/product development and outsourcing experience
- Excellent technical and technology experience, analytical skills and strategic solution development in diverse business settings
- Led and managed software project/product management & consulting services practices for clients including Fortune 50 corporations and Government agencies
- Wide international experience in Europe, South-East Asia and Japan

### Professional Experience

#### **Analysis & Research, Inc.** ([www.AR-experts.com](http://www.AR-experts.com))

Nov 07 to Current

Founder & President

Consulting technology experts for various technology IP litigations for plaintiff and defendants in the area of telecommunications (cellular, Internet of Things, mobility management (3GPP), web technologies (applications, operating systems, system), commercial / enterprise software and television platforms. My significant technical contributions that has **directly led to over \$1 Billion financials benefits** (earnings or savings) for clients.

Actively participated from the full life cycle of the IP litigation including, portfolio analysis, target search, prepare Rule-11 charts, help prepare complain/respond, prepare / revise contentions, document search, devise strategies, review source code, participate in expert report preparation, trial support, etc.

In addition, I participated as a member of technical Advisory Board and Acting Chief Technology Officer on volunteer / non-compensated position for the following companies during the period referenced.

#### **Students of Strength, inc.** ([www.studentsOfStrength.com](http://www.studentsOfStrength.com))

Apr 15 – Dec 20

Company provides tutoring and mentoring services to high school and middle school students. Company founded by then a high school student and current Harvard student

#### **Living Enterprise** ([www.livingenterprise.net](http://www.livingenterprise.net))

Jan 13 – Dec 13

Advised on importance of Intellectual Property to the company founder.

(Never interacted with any of the Living Enterprise's clients or other entities of connected with Living Enterprise.)

#### **Fit Just Right, Inc.** ([www.fitjustright.com](http://www.fitjustright.com))

Nov 06 – Dec 13

Web based fit solution delivered as Software As a Service (SaaS) model using Web 2.0 technologies for apparel and footwear retailers

#### **ITTI, Inc.** Acton, MA ([www.ITTI-MAI.com](http://www.ITTI-MAI.com), Formerly mcdonnell associates, inc. )

Nov 95 to Oct 07

Chief Executive Officer:

- \$ 7.5+ M ERP implementation and support / consulting company with over 250+ employees
  - JD Edwards, QAD (MFG/PRO), SAP, BPCS
- Provide strategic direction and leadership for the company
- Successful planning & execution of revenue, expenses, and operating performance of the company
- Defined and successfully implemented Dual-shore Project Delivery model for ERP practices
- Individually responsible for managing projects with team sizes exceeding 60+
- Developed multi-vendor management program

President:

- Defined corporate vision and converted to into executable strategies and provided motivational leadership for growing staff in period of intense transitions

**Jay Bhatia**

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Office: 978 274 5932 Cell: 781 929 4971

- Directly participated in sales to promote company offerings and secure successful engagements
- Built consulting group with highly satisfied customer base and excellent reputation
- Grew department to over 40 consultants, with excellent retention rate
- Developed proposals (scope, schedule, budget) and participated in sales process, including successful proposals in the \$100,000-\$6,500,000 range for Lafarge, Fujitsu-ICL, Pepsi, AT&T, etc.
- Defined architecture and managed development of web based application (opensource) that integrated with ERP, Project Planning, Datawarehousing, etc. applications that was deployed at over 1000 international sites with over million transactions per month

I played the following roles as a consultant on behalf of my employer:

Project Manager for **I-many, Inc.** ([www.imany.com](http://www.imany.com)):

- Led a team of 13 engineers to develop a complex contract management software system using J2EE 1.3, EJB 2.0 platform
- Created Project plan, budgets, schedules, and resource plans
- Active participation with Product Management, Marketing, Sales and engineering team to finalize requirements
- Tracked and monitored development schedule via MS-PM
- Successful completion of project on schedule and within budgets

Senior Director, Engineering for **Ozro, Inc.** ([www.ozro.com](http://www.ozro.com))

- Directed engineering staff of over 35 to build on-line multi-variant, iterative negotiation software product using emerging WebServices Platform of J2EE (EJB 1.2).
- Actively participated in business analysis, competitive analysis and development of sales plans, etc.
- Presented product to Fortune 50 companies and received excellent feedback, resulted in a multi-million dollar licensing agreement.
- Provided project management for multidisciplinary team of web designers, engineering developers, Quality assurance, and document specialists

Engineering Manager for **TradeAccess, Inc.** ([www.TradeAccess.com](http://www.TradeAccess.com))

- Led a team of 10 software professionals to develop a second generation Web application using then emerging Java technologies.
- Designed migration path from C++ to Java technology
- Worked with sales team to create first sales success

**Melstar Inc.**, Weymouth, MA  
Vice President

Apr 93 to Oct 95

- Managed client relationships for diverse group of Fortune 500 clients including Joy Global, Bayer, etc.
- Collaborated with President to hire, train, manage, lead, and evaluate growing staff of information consultants
- Created a brand new ERP practice using International staff, a practice now commonly adopted by industry
- Implemented and maintained corporate personnel policies

**Digital Equipment Corp**, Maynard, MA (now, **HP Corp.** ([www.HP.com](http://www.HP.com)))

Sep 82 to Mar 93

General Manager (Sep 88 to Mar 93)

- Created and managed international outsourcing operations from India
- Grew operations to over \$ 12M and over 350 engineers in over 18 countries
- Introduced and set up software factory concepts using re-usable software components
- Setup subsidiary and branch offices in 6 countries
- Consistently on Excellence Awards for meeting business (Revenue and profits) and personnel goals for every year of operations

**Jay Bhatia**

311 Depot Road, Boxborough, MA 01719  
Office: 978 274 5932 Cell: 781 929 4971

Principal Engineer (Sep 82 to Aug 88)

- Managed an engineering team which developed VAX computer systems.
- Managed hardware design team using state-of-the-art CPU technologies and gate-arrays.
- Participated in steering committee consisting of Manufacturing, Customer Service, Operating systems and diagnostic teams

**Specialized Expertise & Achievements**

- Won several awards and recognitions for outstanding contributions and achievements throughout the academic and professional career
- Named inventor of a US patent # 5,099,485 "Fault Tolerant Computer Systems with Fault Isolation and Report"

**Education**

- **Bombay University**, Bombay, India Bachelors in Engineering (Electrical Engineering), Aug 1980
- **University of Florida**, Gainesville, FL Master of Engineering (Electrical Engineering), Aug 1982
- **INSEAD**, Fontainebleau, France, International Management Education Program (1989-1992)

**Other:**

- Member of Cable Advisory Committee, Town of Boxborough, MA (2021-Current)
- Member of Executive Committee, **Acton Boxborough United Way** ([www.abuw.org](http://www.abuw.org)); 2011 – Jul 2017
- Chairman, **Town of Boxborough Information Technology Committee** (also functioning as a Cable Advisory Committee); 2006 – 2012
- US Citizen

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*last updated 1/2023*

## EXHIBIT 11

### List of Cases Where Jay Bhatia signed Protective Order:

- ◆ Sky Technologies LLC vs. IBM Corp. (Civil Action No. 03-454-DF, E.D. Tex.) \*\*
- ◆ Sky Technologies LLC vs. i2 Inc. (Civil Action No. 03-454-DF, E.D. Tex.) \*\*
- ◆ Sky Technologies LLC vs. Oracle Corporation (Case No. 2:06-cv-440-DF, E.D. Tex)
- ◆ Sky Technologies LLC vs. SAP AG, SAP America, Inc. (Case No. 2:06-cv-440-DF, E.D. Tex) \*\*
- ◆ Sky Technologies LLC vs. Ariba (case No. 1:2006-cv-11889, D. Mass (moved from E.D. Tex)
  
- ◆ IN Networks, Inc. vs. Apple (Civil Action No. 2007-CV-158, E.D. Tex)
  
- ◆ Droplets, Inc. vs. Adobe (Civil Action No. 2006-CV-307, E.D. Tex)
  
- ◆ Function Media vs. Yahoo! Inc. (Civil Action No. 2007-cv-279, E.D. Tex)
- ◆ Function Media vs. Google Inc. (Civil Action No. 2007-cv-279, E.D. Tex) \*\*
  
- ◆ Parallel Network vs. Netflix, Inc. et. al. (Civil action No. 2007-cv-00562-DF, E.D. Tex)
- ◆ Parallel Network vs. Priceline, Inc. et. al. (Civil action No. 2007-cv-00045-DF, E.D. Tex)
  
- ◆ Two-Way Media vs. Akamai Technologies, Inc. et. al. (Civil Action No. 2008-cv-00116, S.D. Tex) \*\*
  
- ◆ Interval Licensing LLC. Vs. Aol, Inc.; Apple, Inc.; eBay, Inc.; Facebook, Inc.; Office Depot, Inc.; OfficeMax Inc.; Staples, Inc.; Yahoo!, Inc.; Google, Inc. and YouTube, LLC. (Case No. 2:10-cv-01385-MJP)
  
- ◆ DDR Holdings, LLC. Vs. Hotels.com, LLP.; Expedia, Inc.; Travelocity.com, LLP.; Site59.com, LLC; Cendant Travel Distribution Services Group, Inc.; Internetnetwork Publishing Corporation D/B/A Lodging.com; International Cruise & Excursion Gallery, Inc.; OurVacationStore, Inc.; National Leisure Group, Inc.; and Digital River, Inc. (Civil Action No. 2-06CV-42-DF)
  
- ◆ Sky Technologies LLC vs. Microsoft Corp., Emptoris, Inc., Manhattan Associates, Inc., Perfect Commerce, Inc., JDA Software Group, Inc., Siemens AG, Siemens Corporation, Siemens USA Holdings, Inc., Siemens Product Lifecycle Management Software, Inc., Dassault Systèmes, S.A., Dassault Systèmes Corp., Dassault Systèmes SolidWorks Corp., Dassault Systèmes, Enovia Corp. (Civil Action No. 1:11-cv-10833-WGY)
  
- ◆ Jaipuria vs. LinkedIn Corporation, Hoovers, Inc. WhoDoYouknowAT, LLC. (CASE NO. 6:11-CV-00066 LED)
  
- ◆ Vasudevan Software, Inc. Vs. International Business Machines Corp. and Oracle Corp. (CASE NO. 5:09-CV-05897-RS, N.D. California)
- ◆ Vasudevan Software, Inc. Vs. MICROSTRATEGY INC., (Civil action No. 3:11-cv-06637-RS)
- ◆ Vasudevan Software, Inc. Vs. TIBCO Software, Inc. (Civil action No. 3:11-cv-06638-RS)
  
- ◆ PersonalWeb Technologies, LLC & Level 3 Communications, LLC, vs. Microsoft Corporation. (Civil Action No. 6:12-cv-00663)
- ◆ PersonalWeb Technologies, LLC & Level 3 Communications, LLC, vs. Yahoo! Inc. (Civil Action No. 6:12-cv-00658)
  
- ◆ Click to Call Technologies, LLP. Vs. AT&T, Inc., et at. (Civil Action No. 1:12-CV-00465-SS)
- ◆ Click to Call Technologies, LLP. Vs. Oracle Corporation, et at.; (Civil Action No. 1:12-CV-00468-SS)
- ◆ Click to Call Technologies, LLP. Vs. eHarmony, Inc. \*Civil Action No. 1:12-CV-00469-SS)
  
- ◆ RLIS, Inc. Vs. Cerner Corporation (Civil Action No. 3:12-cv-00209)
- ◆ RLIS, Inc. Vs. Allscripts HealthCare Solutions, Inc. (3:12-cv-00208)

- ◆ [PersonalWeb Technologies, LLC & Level 3 Communications, LLC](#), vs. Google, Inc. & Youtube, LLC. (Civil Action No. 6:11-cv-00656) E.D. Tex.) (transferred to N.D. Cal., case 3:13-cv-04113) \*\*
- ◆ [PersonalWeb Technologies, LLC & Level 3 Communications, LLC](#), vs. Apple, Inc. (Civil Action No. 6:12-cv-00660) (E.D. Tex.) (transferred to N.D. Cal., case 4:14-cv-01683)
- ◆ [PersonalWeb Technologies, LLC & Level 3 Communications, LLC](#), vs. Facebook, Inc. (Civil Action No. 6:12-cv-00662) (E.D. Tex.) (transferred to N.D. Cal., 5:13-cv-01356-EJD)
- ◆ [PersonalWeb Technologies, LLC & Level 3 Communicaitons, LLC](#). Vs. Yahoo, Inc. et. al. (Civil Action No. 6:12-cv-00658 (E.D. Tex.)
- ◆ [AFLUO, LLC](#), Vs. ADOBE SYSTEMS INC., AKAMAI TECHNOLOGIES, INC., and LEVEL 3 COMMUNICATIONS, LLC. (Civil Action No. 1:12-cv-01459-SLR) (D. Del.)
- ◆ [American Navigation Systems, Inc.](#) Vs. Apple, Inc. (Civil Action No.: 8:14-cv-01130-CEH-TBM) (M.D. Fl.) (transferred to N.D. Cal., 3:14-cv-05297)
- ◆ [American Navigation Systems, Inc.](#) Vs. SAMSUNG ELECTRONICS CO., LTD, SAMSUNG ELECTRONICS AMERICA, INC.; and SAMSUNG TELECOMMUNICATIONS AMERICA, LLC.) (Civil Action No. Case No. 8:14-cv-1131-T-36MAP) (M.D. Fl.) (transferred to N.D. Cal., 3:14-cv-05297)
- ◆ GOOGLE INC., APPLE INC., SAMSUNG ELECTRONICS AMERICA, INC., and SAMSUNG ELECTRONICS CO., LTD. Vs. [American Navigation System, Inc.](#) IPR2015-00849. (PTAB)
- ◆ [ROCKSTAR CONSORTIUM US LP AND NETSTAR TECHNOLOGIES LLC](#), Vs. GOOGLE INC. (Civil Action No. 2:13-cv-893) (E. D. Tex.)
- ◆ [Queen's University](#), Vs. Samsung Electronics Co., Ltd. and Samsung Telecommunications America, LLC (Civil Action No. 2:14-cv-53) (E. D. Tex.) \*\*
- ◆ [SYNCPOINT IMAGING, LLC](#), Vs NINTENDO OF AMERICA INC., NINTENDO CO., LTD, GAME X CHANGE, INC., GAMES2GO, PIXART IMAGING, INC. (Civil Action No. 2:15-cv-247) (E. D. Tex.) \*\*
- ◆ [Koninklijke KPN N.V.](#) Vs. Samsung Telecommunications Americas LLP, Samsung Electronics Co, LTD. Samsung Electronics America, Inc. (Civil Action No. 2:14-cv-1165) (E. D. Tex.)
- ◆ [AliphCom et al.](#) Vs. Fitbit Inc., case number (Civil Action No. 4:15-cv-02579) (N. D. Cal.)
- ◆ Fitbit, Inc. Vs. [Aliphcom, Bodymedia, Inc.](#) (Civil Action No. 1-15-cv-00775) (D. Del.) (transferred to N.D. Cal., 4:16-cv-00118) \*\*
- ◆ Certain Activity Tracking Devices, Systems and Components (US ITC Investigation No. 337-TA-963) (representing [AliphCom et. al.](#)) (ITC) \*\*
- ◆ Certain Wearable Activity Tracing Device, Systems and Components thereof. (US ITC Investigation No. 337-TA-973) (representing [AliphCom et. al.](#)) (ITC) \*\*
- ◆ [Two-Way Media Ltd.](#) Vs. Bell Canada, Bell Aliant Regional Communications, Limited, Partnership and Telus Communications Company (Federal Court Canada. Docket: T-809-14) (Federal Court Canada)
- ◆ [Two-Way Media LLC](#). Vs. Comcast Cable Communications, LLC, Comcast Interactive Media, LLC, NBCUniversal Media, LLC and NBCUniversal, LLC. (CIVIL ACTION NO. 2:14-CV-1006) (D. Del.)
- ◆ [Two-Way Media LLC](#). Vs. Verizon Communications Inc., Verizon Services Corp., Verizon Online LLC., (CIVIL ACTION NO. 2:14-CV-01212) (D. Del.)
- ◆ [PERSONALIZED MEDIA COMMUNICATIONS, LLC](#). Vs. SAMSUNG ELECTRONICS AMERICA, INC; and SAMSUNG ELECTRONICS CO., LTD. (Civil Action No. 2:15-cv-01754) (E. D. Tex.)
- ◆ [PERSONALIZED MEDIA COMMUNICATIONS, LLC](#). Vs. VIZIO, INC. et. al. (Civil Action No. 2:15-cv-01206) (E. D. Tex.)
- ◆ [Personalized Media Communications, LLC](#). Vs. FUNAI ELECTRIC CO., LTD.; FUNAI CORPORATION, INC.; AND P&F USA, INC. (Civil Action No. 2:16-v-105-JRG-RSP) (E. D. Tex)

# Analysis Research EXPERTS

- ◆ **IMAGE PROCESSING TECHNOLOGIES, LLC**, Vs. SAMSUNG ELECTRONICS CO., LTD.; SAMSUNG ELECTRONICS AMERICA, INC. (Civil Action No. 2:16-CV-0505-JRG) (E. D. Tex.)
- ◆ **ALACRITECH, INC.**, Vs. TIER 3, ET AL., WISTRON CORPORATION ET AL., DELL INC. (2:16-cv-00693-JRG (LEAD CASE), 2:16-cv-00692-JRG, 2:16-cv-00695-JRG (E. D. Tex.)
  - Third party PO signed with
    - Intel Corp.
    - Mellanox Technologies, Ltd.
    - Broadcom Corp
    - Cavium, Inc.
- ◆ **TQ DELTA, LLC**. Vs. 2WIRE, INC., (C.A. No. 13-cv-1835-RGA) (D-Del) \*\*
- ◆ **TQ DELTA, LLC**. Vs. ZYXEL COMMUNICATIONS, INC., and ZYXEL COMMUNICATIONS CORPORATION, INC., (C.A. No. 13-cv-2014-RGA) (D-Del) \*\*
- ◆ **TQ DELTA, LLC**. Vs. ADTRAN, INC. (C.A. No. 13-cv-954-RGA) (D-Del) \*\*
- ◆ ADTRAN, Inc. Vs. **TQ DELTA, LLC**. (C.A. No. 13-cv-121-RGA) (D-Del)
  - Third Party PO signed with **Broadcom Corporation** that covers all four TQ Delta, LLC. matters.
- ◆ **3G LICENSING, S.A., KONINKLIJKE KPN N.V.** Vs. BLACKBERRY LIMITED and BLACKBERRY CORPORATION (C.A. No. 17-cv-82-LPS-CJB) (D-Del)
- ◆ **3G LICENSING, S.A., KONINKLIJKE KPN N.V.** Vs. HTC CORPORATION and HTC AMERICA INC. (C.A. No. 17-cv-83-LPS-CJB) (D-Del)
- ◆ **3G LICENSING, S.A., KONINKLIJKE KPN N.V.** Vs. LENOVO GROUP LTD., LENOVO HOLDING CO. INC., LENOVO (UNITED STATES) INC., and MOTOROLA MOBILITY LLC. C.A. No. 17-cv-84-LPS-CJB) (D-Del)
- ◆ **3G LICENSING, S.A., KONINKLIJKE KPN N.V.** Vs. LG ELECTRONICS INC., LG ELECTRONICS, U.S.A. INC., and LG ELECTRONICS MOBILECOMM U.S.A. INC. (C.A. No. 17-cv-85-LPS-CJB) (D-Del)
- ◆ **KONINKLIJKE KPN N.V.** Vs. GEMALTO LLC., GEMALTO M2M GMBH, and GEMALTO, INC. (C.A. No. 17-cv-86-LPS-CJB) (D-Del)
- ◆ **KONINKLIJKE KPN N.V.** Vs. KYOERA CORPORATION and KYOCERA INTERNATIONAL, INC. (C.A. No. 17-cv-87-LPS-CJB) (D-Del)
- ◆ **KONINKLIJKE KPN N.V.** Vs. NEC CORPORATION and NEC CORPORATIONS OF AMERICA (C.A. No. 17-cv-88-LPS-CJB) (D-Del)
- ◆ **KONINKLIJKE KPN N.V.** Vs. ONEPLUS (C.A. No. 17-cv-89-LPS-CJB) (D-Del)
- ◆ **KONINKLIJKE KPN N.V.** Vs. SIERRA WIRELESS, INC., and SIERRA WIRELESS AMERICA, INC. (C.A. No. 17-cv-90-LPS-CJB) (D-Del)
- ◆ **KONINKLIJKE KPN N.V.** Vs. TCL COMMUNICATIONS, INC., TCL COMMUNICATION TECHNOLOGY HOLDING LIMITED, TCT MOBILE (US) INC., and TCT MOBILE (US) HOLDINGS, INC. (C.A. No. 17-cv-91-LPS-CJB) (D-Del)
- ◆ **KONINKLIJKE KPN N.V.** Vs. TELIT WIRELESS SOLUTIONS, INC. (C.A. No. 17-cv-92-LPS-CJB) (D-Del)
  - Third party PO signed with Qualcomm, Inc.
- ◆ **ALMONDNET, INC., DATONICS, LLC, and INTENT IQ, LLC**, Vs. YAHOO! INC. (C.A. No. 16-cv-1557-ILG-SMG) (ED-NY)
- ◆ **Personalized Media Communications, LLC**. Vs. TCL Corp. and TCL Multimedia Technology Holdings Ltd. (CV No. 2-17-cv-433-JRG) (D-Del)
- ◆ **Universal Secure Registry** Vs. Apple Inc. Visa Inc, and Visa U.S.A. Inc. (C.A. No. 17-cv-585-JFB-SRF) (D-Del)\*\*
- ◆ **Barkan Wireless IP Holdings, LP**. Vs. Samsung Electronics Co., LTD, et. al. (C.A. No. 2-18-cv-28-JRG) (E. D. Tex)
- ◆ **E-System Design, Inc.** Vs. Mentor Graphics Corp. (C.A. 4:17-cv-00682-ALM) (E.D. Tex)
- ◆ **Corel Software, LLC**. Vs. Microsoft Corporation. (Case No. 2:15-cv-00528-JNP) ((C.D, Utah)



- ◆ [Personalized Media Communications, LLC](#). Vs. Hisense Co. Ltd.; Hisense Electric Co., Ltd.; Liaoning, Hisense Electronics Co., Ltd.; Qingdao Hisense Electric Co., Ltd.; Guangdong Hisense Multimedia Co., Ltd.; Guiyang Hisense Electronics Co., Ltd.; And Zibo Hisense Electronics Co., Ltd. (Civil Action No. 2:17-cv-00437-JRG) (E.D. Tex)
- ◆ [Packet Intelligence, LLC](#). Vs. Ericsson, Inc. (CASE NO.: 2:18-cv-00381-JRG) (E.D. Tex)
- ◆ [Packet Intelligence, LLC](#). Vs. Nokia Of America Corporation (CASE NO.: 2:18-cv-00382-JRG) (E.D. Tex)
- ◆ [ARENDI S.A.R.L.](#), Vs. LG ELECTRONICS, INC., LG ELECTRONICS USA, INC. and LG ELECTRONICS MOBILECOMM U.S.A., INC., (Civil Action No. 12-1595 (LPS)) (D. Del)
- ◆ [ARENDI S.A.R.L.](#), Vs. APPLE INC., (Civil Action No. 12-1596 (LPS)) (D. Del.) \*\*
  - Apple Inc. v. [Arendi S.A.R.L.](#), IPR2014-00208, 2015 Pat. App.
- ◆ [ARENDI S.A.R.L.](#), Vs. RESEARCH IN MOTION LIMITED and RESEARCH IN MOTION CORPORATION (Civil Action No. 12-1597 (LPS)) (D.Del.)
- ◆ [ARENDI S.A.R.L.](#), Vs. SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC. and SAMSUNG TELECOMMUNICATIONS AMERICA, LLC, (Civil Action No. 12-1598 (LPS)) (D. Del.)
- ◆ [ARENDI S.A.R.L.](#), Vs. Microsoft Mobile, Inc. (Civil Action No. 12-1599 (LPS)) (D. Del.)
- ◆ [ARENDI S.A.R.L.](#), Vs. HTC CORP. a/k/a HIGH TECH COMPUTER, CORP., HTC AMERICA, INC. and EXEDEA, INC., (Civil Action No. 2:18-cv-1725-BJR) (D. Seattle, Washington)
- ◆ [ARENDI S.A.R.L.](#), Vs. MOTOROLA MOBILITY LLC, f/k/a MOTOROLA MOBILITY, INC., (Civil Action No. 12-1601 (LPS)) (D. Del.)
- ◆ [ARENDI S.A.R.L.](#), Vs. SONY MOBILE COMMUNICATIONS (USA) INC. f/k/a SONY ERICSSON MOBILE COMMUNICATIONS (USA) INC., SONY CORPORATION and SONY CORPORATION OF AMERICA, (Civil Action No. 12-1602 (LPS)) (D. Del.)
- ◆ [ARENDI S.A.R.L.](#), Vs. GOOGLE INC., (Civil Action No. 13-0919 (LPS)) (D. Del.)
- ◆ [ARENDI S.A.R.L.](#), Vs. Oath Holdings, Inc. and Oath, Inc. (Civil Action No. 13-0920 (LPS)) (D. Del.)
- ◆ [Personalized Media Communications, LLC](#). Vs. Google LLC, Akamai Technologies, Inc. Netflix, Inc. (Civil Action No. 2:19-CV-00090-JRG (Lead Case), Civil Action No. 2:19-CV-00099-JRG (Member case), Civil Action No. 2:19-CV-00091-JRG (Member case). (E.D., TX) \*\*
- ◆ DELL TECHNOLOGIES INC. and DELL GLOBAL B.V. (Singapore Branch), Vs. [TIVO CRPORATION](#), [ROVI CORPORATION](#), [SONIC SOLUTIONS LLC](#), and [SONIC SOLUTIONS](#) (Case No. 18-0822-C26) (Williamson County, Texas)
- Palo Alto Networks, Inc. Vs. [Packet Intelligence, LLC](#). Vs. (Case No. 3:19-cv-02471-WHO) (N.D. California)
- Contour IP Holding, LLC. Vs. [GoPro, Inc.](#) (Case No. 17-cv-04738-WHO) (N.D. California)
- [Barkan Wireless Holdings, LLP](#), Vs. Sprint Corporatoin, Sprint Communications Co. LP, Sprint Solutions, Inc., Sprint Spectrum, LP., and Commscope Technologies, LLC. (Case No. 2:19-cv-00336-JRG) (E.D. Tex)
- [Ancora Technologies, Inc.](#) Vs. LG Electronics and LG Electronics USA, Inc. (Case No. 1:20-CV-034-ADA) (W.D. Tex.)
- [Ancora Technologies, Inc.](#) Vs. SAMSUNG ELECTRONICS CO., LTD. And SAMSUNG ELECTRONICS AMERICA, INC. (Case No. 1:20-CV-034-ADA) (W.D. Tex.)
- [Preservation Technologies, LLC](#). Vs. Mindgeek, Inc. et al., (Case No. 2:17-cv-08906-DOC-JPR) (C.D. Cal)\*\*
- LUMINATI NETWORKS LTD., Vs. [TESO LT](#), [UAB](#), [METACLUSTER LT](#), [UAB](#), [OXYSALES](#), [UAB](#) (2:19-CV-00395-JRG) (E.D. Tex)
- LUMINATI NETWORKS LTD., Vs. [CODE200](#), [UAB](#); [OXYSALES](#), [UAB](#); [METACLUSTER LT](#), [UAB](#) (2:19-CV-00396-JRG) (E.D. Tex)
- LUMINATI NETWORKS LTD., Vs. [TEFINCOM S.A. D/B/A NORDVPB](#) (2-19:CV-00414-JRG) (E.D. Tex)



- PROVEN NETWORKS, LLC. Vs. [NETAPP, INC.](#) (6:20-cv-000369) (W. D. Tex)
- [MONARCH NETWORKING SOLUTIONS LLC](#), Vs. CISCO SYSTEMS, INC.; MERAKI LLC; DUO SECURITY, INC. (6:20-cv-00381-ADA) (W. D. Tex)
- [CHASOM BROWN, MARIA NGUYEN, WILLIAM BYATT, JEREMY DAVIS, and CHRISTOPHER CASTILLO, individually and on behalf of all other similarly situated](#), Vs. GOOGLE LLC. (Case No. 5:20-cv-03664-LHK) (N.D. Cal)
- [ANIBAL RODRIGUEZ, JULIEANNA MUNIZ, ELIZA CAMBAY, SAL CATALDO, EMIR GOENAGA, JULIAN SANTIAGO, HAROLD NYANJOM, KELLIE NYANJOM, and SUSAN LYNN HARVEY, individually and on behalf of all other similarly situated](#), Vs. GOOGLE LLC. (Case No. 3:20-cv-46884-RS) (N.D. Cal)
- [PATRICK CALHOUN, et. Al., on behalf of themselves, and all others similarly situated](#), Vs. GOOGLE LLC. (Case No. 5:20-cv-5146-LHK-SVK) (N.D. Cal)
- [Barkan Wireless IP Holdings, LLP.](#) Vs. T-MOBILE US, INC., T-MOBILE USA, INC., AND NOKIA OF AMERICA CORPORATION. (C.A. No. 2-21-cv-0034-JRG) (E. D. Tex)
- [FINESSE WIRELESS, LLC.](#) Vs. AT&T MOBILITY, LLC. (C.A. No. 2-21-cv-0316-JRG) (E. D. Tex) \*\*
- [FINESSE WIRELESS, LLC.](#) Vs. CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS (C.A. No. 2-21-cv-0317-JRG) (E. D. Tex) \*\*  
Third party PO signed with
  - Nokia Corp.
  - Ericsson. Inc.
  - Samsung America
- ◆ Certain Video Security Equipment And Systems, Related Software, Components Thereof, And Products Containing Same (US ITC Investigation No. 337-TA-1281)  
(representing [Motorola Solutions, Inc., et. al.](#)) (ITC) \*\*
- [POWER PROBE GROUP, INC. and, POWER PROBE TEK, LLC](#), Vs. INNOVA ELECTRONICS CORPORATION (C.A. No. 2:21-cv-00332-GMN-EJY) (Dist of Nevada)
- [DDR HOLDINGS, LLC](#), Vs. PRICELINE.COM LLC, et al., (C.A. 1:17-cv-00498-501-ER) (Dist of Delaware)
- [TELECOM NETWORK SOLUTIONS, LLC.](#) Vs. AT&T INC., et al. (C.A. 2:21-cv-00415-JRG) (E. D. Tex)
- [TELECOM NETWORK SOLUTIONS, LLC.](#) Vs. Verizon Communications, et. Al. (C.A. 2:21-cv-00416-JRG) (E. D. Tex)
- [TELECOM NETWORK SOLUTIONS, LLC.](#) Vs. T-Mobile USA, Inc., et. Al. (C.A. 2:21-cv-00418-JRG) (E. D. Tex)  
Third party PO signed with:
  - Oracle Corp.
  - Ericsson Inc.
  - Nokia Corp
  - Cisco Systems, Inc.
- BoxCast Inc. Vs. [Resi Media, LLC.](#) (C.A. 2:21-cv-00217-JRG) (E.D. Tex)
- International Business Machines Corporation Vs. [Rakuten Inc. and Ebates Performance Marketing, Inc. DBA Rakuten Rewards](#) (C.A. No. 21-461-VAC) (Dist Of Delaware)
- [Metacluster LT, UAB](#) Vs. Bright Data Ltd. Case No. 2:22-cv-00011-JRG-RSP (E.D. Tex)



- **KONINKLIJKE KPN N.V.**, Vs. XIAOMI CORPORATION, XIAOMI COMMUNICATIONS CO., LTD., and XIAOMI INC. C.A. No. 21-cv-41-VAC-CJB (Dist of Delaware)
- **Ivanti, Inc.**, Vs. Patch My PC, LLC. Case No. 1:22-cv-00643-RMR-SKC (Dist. Of Col)

Represented the party in blue font; **Bold** are active cases as of Jan 1, 2023.



**Deposition and Declaration provided By Jay Bhatia**

**Depositions Provided:**

- Sky Technologies LLC vs. IBM Corp. (Civil Action No. 03-454-DF, E.D. Tex.)
- Sky Technologies LLC vs. i2 Inc. (Civil Action No. 03-454-DF, E.D. Tex.)
- Sky Technologies LLC vs. Dassault Systèmes, S.A., Dassault Systèmes Corp., Dassault Systèmes SolidWorks Corp., Dassault Systèmes. (Civil Action No. 1:11-cv-10833-WGY)
- GOOGLE INC., APPLE INC., SAMSUNG ELECTRONICS AMERICA, INC., and SAMSUNG ELECTRONICS CO., LTD. Vs. American Navigation System, Inc. Case: IPR2015-00849. (PTAB)

**Declaration Provided:**

- Submitted a declaration in the case marked by \*\* above

Represented the party in blue font



### List of Clients of Analysis & Research, Inc:

Analysis & Research provided the following clients with an intellectual property related technical analysis services and received compensation since 2012:

- ◆ Aitken Klee LLP. ([www.aitkenklee.com](http://www.aitkenklee.com))
- ◆ Andrews Kurth Kenyon, LLP ([www.andrewskurth.com](http://www.andrewskurth.com))
- ◆ Bake Botts, LLP. ([Baker Botts](http://BakerBotts.com))
- ◆ Bleichmar, Fonti & Auld, LLP. (<https://www.bfalaw.com/>)
- ◆ Buchanan Ingersoll & Rooney PC. ([www.bipc.com](http://www.bipc.com))
- ◆ Burns Charest, LLP. ([www.burnscharest.com/](http://www.burnscharest.com/))
- ◆ **Boise, Schiller, Flexner, LLP.** ([Boies Schiller Flexner LLP - Boies Schiller Flexner LLP \(bsfllp.com\)](http://BoiesSchillerFlexnerLLP.com))
- ◆ **Charhon Callahan Robson & Garza** ([www.ccrqlaw.com](http://www.ccrqlaw.com))
- ◆ Davidson Law Group on behalf of ActiveSoft, Inc. ([www.davidson-lawfirm.com](http://www.davidson-lawfirm.com))
- ◆ DDR Holdings, LLC. ([www.ddrholdings.com](http://www.ddrholdings.com))
- ◆ DLA Piper ([www.dlapiper.com](http://www.dlapiper.com))
- ◆ Epicenter Law, P.C. ([www.epicenterlp.com](http://www.epicenterlp.com))
- ◆ Fees & Jefferies, P.A. ([www.feesjefferies.com](http://www.feesjefferies.com))
- ◆ GoPro, Inc. (<https://gopro.com/en/us/>)
- ◆ **Greenberg Taurig** (<https://www.gtlaw.com>)
- ◆ **Heim Payne Chorush, LLP** ([www.hpcilp.com](http://www.hpcilp.com))
- ◆ Latham & Watkins LLP (<https://www.lw.com>)
- ◆ Littler, LLP. ([Littler Mendelson P.C. | Employment & Labor Law Solutions Worldwide](http://LittlerMendelsonP.C. | Employment & Labor Law Solutions Worldwide))
- ◆ Kevin Almeroth
- ◆ KPN BV ([The company \(overons.kpn\)](http://Thecompany(overons.kpn)))
- ◆ McAndrews Law Firm ([www.mcandrews-ip.com](http://www.mcandrews-ip.com))
- ◆ **Morgan & Morgan, LLP.** ([Morgan & Morgan Lawyers | America's Largest Personal Injury Law Firm \(forthepeople.com\)](http://Morgan & Morgan Lawyers | America's Largest Personal Injury Law Firm (forthepeople.com)))
- ◆ O'Melveny & Myers LLP ([www.omm.com](http://www.omm.com))
- ◆ Packet Intelligence, LLC. ([www.packetintelligence.com](http://www.packetintelligence.com))
- ◆ Pia Anderson Dorius Reynard & Moss ([www.PADRM.com](http://www.PADRM.com))



- ◆ Personalized Media Communications ([www.PersonalizedMedia.com](http://www.PersonalizedMedia.com))
- ◆ **Quinn Emanuel Urquhart & Sullivan** (<http://www.quinnemanuel.com/>)
- ◆ Robins Kaplan (<http://www.robinskaplan.com/>)
- ◆ **Shumaker. LLP.** (<https://www.shumaker.com/>)
- ◆ **Susman Godfrey, LLP** ([www.susmangodfrey.com](http://www.susmangodfrey.com))
- ◆ TQ Delta, LLC. ([www.tqdelta.com](http://www.tqdelta.com))
- ◆ Vringo, Inc. ([www.vringoip.com](http://www.vringoip.com))

Bold are active clients/engagements as of January 1, 2023